

Serial No. 10/562,348  
Atty. Doc. No. 2003P07111WOUS

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CENTRAL FAX CENTER

FEB 28 2007

REMARKS

No claims have been amended, cancelled, or added by way of this response. Thus, claims 13-23 are pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the following remarks.

Response To Oath or Declaration Defective Determination:

The Examiner determined that the inventor Oath is defective, citing 37 CFR 1.67(a) and MPEP 602.01 and 602.02 ("the Inventor Oath Rules"). However, the reason provided for the Oath being defective has nothing to do with the Oath required by the Inventor Oath Rules. That is, the Inventor Oath Rules concern the inventor Oath required under 35 USC 371(c)(4), whereas the reason that the Examiner provided for the Oath or Declaration being defective was that the antedating Declaration of Werner Hummel under 37 CFR 1.131 "is in a foreign language".

Accordingly, since the inventor Oath is in full compliance with the Inventor Oath Rules and the Examiner has provided no reason why the inventor Oath is defective, Applicant respectfully submits that the determination of defective Oath under the Inventor Oath Rules be withdrawn.

Applicant acknowledges the Examiner's request for an English language translation of Exhibit A of the antedating Declaration of Werner Hummel under 37 CFR 1.131, and provides such translation herewith.

Applicant also notes that the Office Action Summary sheet indicates that claims 13-23 stand withdrawn from consideration. Applicant believes this was an inadvertent error by the Examiner since no claims appear to have been restricted or otherwise removed from active prosecution. If, however, the Examiner considers that claims 13-23 are withdrawn, Applicant respectfully requests the Examiner to provide detailed reasons and supportive authority for such withdrawal.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 2/28/07

By:   
John P. Musone  
Registration No. 44,961  
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Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, New Jersey 08830

<b>Confidential!</b> Please forward sealed!		<b>INVENTION DISCLOSURE</b> to Siemens AG or Subsidiary <i>Already faxed to CT IP <input type="checkbox"/></i> <i>Please be sure to indicate if applicable!</i>		IP file number  2003E02106DE
I/WB (Christian name and surname of inventor(s) - further details and signature(s) on last page)  Jürgen Luers			Number of inventors  1	Date of execution:  29.01.2003
report herewith the invention specified in full on the following pages with the title:  Communication agent				
To superior/manager of inventor(s)  Mr./Mrs./Ms. <u>Wolfgang Brüggemeier</u> ICN EN HS D 73 (Department)				Received on:
Please answer the following questions:  a) When did you receive the invention disclosure? _____ →  b) Is the invention based on publicly funded work? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, project: _____  c) Is there a corresponding in-house R&D project? <input type="checkbox"/> No <input type="checkbox"/> Yes, project: _____				Legal term commences with date of receipt
Only for CT-inventions:  Project No. _____ Title: _____ Core technology _____  <input type="checkbox"/> Development project    In the interests of Group    Contact _____ <input type="checkbox"/> Research project				
d) Application will be recommended <input type="checkbox"/> no    yes <input checked="" type="checkbox"/> Urgency code _____ Costs borne by (organizational unit) _____  The invention does not lie in our field of interest. Following departments are to be consulted _____				
29.01.03                      (SIGNATURE WB) (date)                         (signature of superior)				
Please forward immediately on account of legal deadlines to  Siemens AG CT IP (patent department)  Location: _____ (e.g. Mch P/Ri, Erl S, Bln. Khe R)  for further action.				Received on:

Page 2/5

IP file number

1. What technical problem is to be solved by your invention?
2. How was this problem solved previously?
3. In what way does your invention solve the specified technical problem (specify advantages)?
4. Where does the inventive step lie?
5. Exemplary embodiment[s] of the invention.

Re. 1:

The use of more than one communication terminal is now widespread. Many people have a telephone attached to a landline at home and often use a private mobile telephone when out and about. The place of work is generally equipped with a telephone which is connected to the corporate internal telephone network. Sometimes the corporate telephone network can also be used via a mobile telephone on company premises. And some automobiles are equipped with radio telephones.

This presents users with a series of problems:

- They must familiarize themselves with the operation of all terminals. Reorientation is needed when they change devices.
- Incoming calls and/or messages are predominantly signaled at the location of the terminal. If the user is not in the immediate vicinity they may miss the signal tone.
- With incoming calls and/or messages users are under time pressure to get to the relevant terminal.
- If a mobile terminal is used jointly by a number of users, the user may have to look for the terminal (under time pressure when there is an incoming call).
- If the user manages an address book via a terminal, he cannot simply use the communication addresses stored there on the other terminals as well. In the worst case they cannot establish a connection because the data necessary is not available on the terminal currently being used. In addition they must reconcile the data and generally enter it more than once. This then also applies to all other personal data as is available in an appointments list for example.
- If a call has been set up using a fixed terminal, the connection has to be aborted if an emergency arises (e.g. dinner catches fire).
- If the terminal is used by a number of users, the relevant user cannot be identified. For secure identification a separate registration has to be performed with password entry. And passwords always cause problems.

The problems are in no way limited to voice calls, they also arise with picture, video and data transmissions.

Re. 2:

No solution is known to the author which would solve this problem in respect of all terminals and to the desired extent.

Re. 3:

Page 3/5

IP file number

The user carries an innovative terminal with them which is referred to below as the communication agent or more concisely as the agent. This agent is restricted to its person and uses a local area radio technology still to be defined and standardized to establish contact with the locally available gateways. Each gateway represents an access to a communication network and does not necessarily have to have a user interface. The gateway functionality can however also be integrated into existing forms of terminal (even in the agent itself).

As soon as the agent moves into the vicinity of a suitable gateway, the latter detects its presence from the incident signal strength and begins an automatic registration sequence yet to be defined and standardized. In doing so it identifies itself and thereby the user assigned to it to the gateway. The gateway checks what rights the relevant agent (or the user associated with it) possesses and then notifies it of its own identifier and the usable forms of communication.

The agent visualizes the identifiers of the locally available gateways and the possible forms of communication linked to them and supported by it. In addition it makes available a suitable user interface for each of these forms of communication. The agent thus functions as a universal terminal, via which all visualized gateways and forms of communications can be used.

Depending on the rights and settings allocated, incoming calls are also signaled at the agent and can be accepted directly via it by the user. Likewise there should be the option of initiating and fully handling outgoing calls, connections and messages from the agent. The transported data between agent and gateways should preferably be exchanged via the same local radio network over which the automatic registration procedure has already been undertaken.

This method offers the following advantages:

- Users are always informed about the locally available gateways and forms of communication and can use them without the need for further familiarization.
- The user is always accessible via the locally available gateways.
- In addition to the one-off outlay for the configuration of the agent and the gateways, no further outlay arises for the users, especially when they change location.
- Users can always carry their personal database, such as address list, appointments, mail and data archive with them.
- The signaling of incoming calls and messages is undertaken centrally from the user's standpoint.
- Security is increased since users only need to secure a single device (namely the agent assigned to them and carried with them).
- If messages have arrived at a gateway in the interim, it can explicitly inform the user about them as soon as their agent comes within range.

Re. 4:

The inventive step is the possible replacement of all communication terminals by a single terminal which automatically adapts to the locally available communication technologies and forms and makes them usable.

Page 4/5

IP file number

Re. 5:

It is assumed that Bluetooth, with a range of 50 to 100 meters were to be used, in which case a corresponding non-proprietary profile for the required gateway functionalities of a wide diversity of forms of communication and help procedures would be globally standardized.

Conventional mobile phones equipped with Bluetooth could then be used as agents, with their loadware being supplemented by the necessary agent and gateway functions. The gateway functionality would make "internal" calls possible. This makes particular sense whenever two agents often have to communicate with each other or wish to know from each other whether the relevant partner is present. Such dependencies can be found for example in the domestic area between family members or in the business area between secretaries and their superiors.

To implement the gateway functionality for fixed network connections and permanently-installed mobile telephones in motor vehicles two approaches might be considered. On the one hand new versions of the conventional terminals could be expanded by a Bluetooth interface with the necessary loadware. On the other hand completely new terminals could be developed which do not possess any further functions in addition to the gateway functionality.

To ensure on the one hand that unauthorized agents do not use the gateways and on the other hand to keep the demand for free channels of the local radio technology used low, the gateways should only communicate with agents which have been explicitly enabled there. As a side effect only the gateways which are really important for the users should be displayed to the agents.

Page 5/5

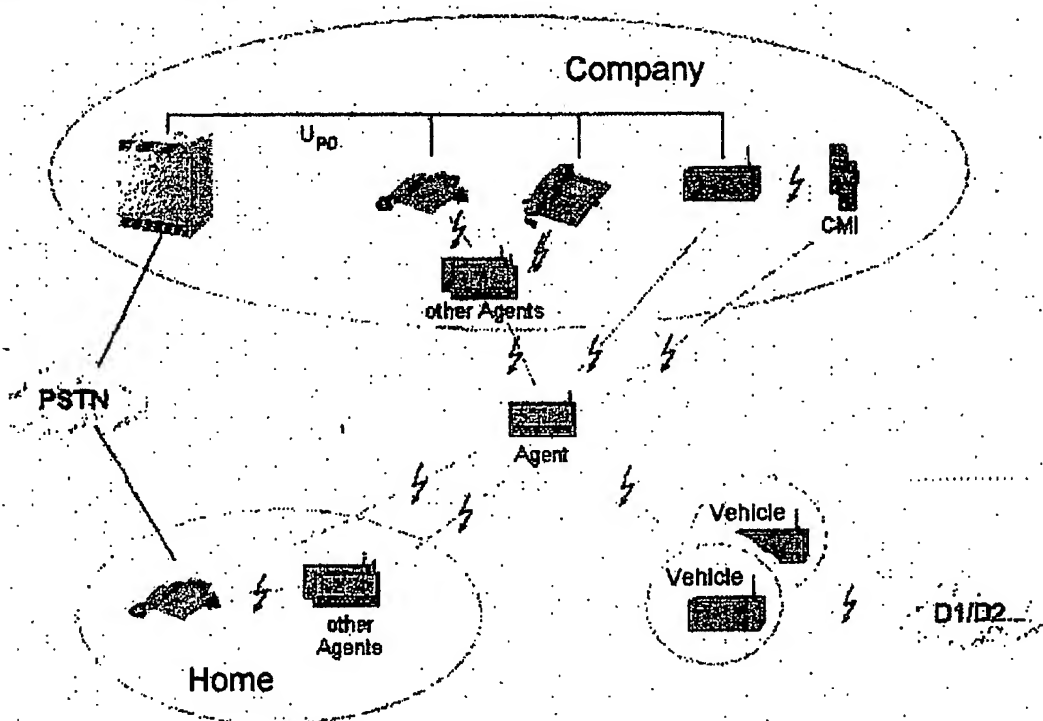
IP file number

The following would be conceivable with the invention:

The father of a family is taken as a user who has a workstation assigned to him in his company, but who also moves around and is active within the company and in the outside world. At home a terminal connected to an analog fixed network with gateway functionality is available on the ground floor. In addition his wife's car as well as the company car that he uses are equipped with gateways to various mobile radio networks. Finally in the company the telephone at his workstation is to be equipped with gateway functionality. In addition a gateway should offer access to the data network. At home his wife and his oldest son are equipped with an agent. In the company a few of his colleagues would be equipped with agents. The forms of communication used for him are to be enabled for all gateways which he is able to use.

He is at home on the top floor and sees on the display of his agent that he can take calls and make outgoing calls via the analog fixed network and via the gateway of his company car parked in front of the house. He sees that both the car and also the agent of his wife are not shown since she has already left the house. He activates the icon for the agent of his oldest son, who then answers and tells him that his assumption is correct and invites him down to breakfast.

Later he drives to the company. As he stops in front of the company his agent displays the gateway of his company car and his workstation telephone. He is just on his way to a meeting when he is called via the telephone in the company car. He notifies the caller that he is already at the company and will soon reach the meeting room. The call tells him to look in at the server room first, since a computer has gone down. After he has put the server back into service, he uses his agent to call a colleague via the corporate telephone network and informs them about the new status.



**6. The following information is enclosed (preferably in black-and-white):**

- |          |  |
|----------|--|
| <u>0</u> | sheet(s), representation of one or more examples of the invention;<br><small>(if possible, please enclose drawings in PowerPoint or Designer format)</small> |
| <u>0</u> | sheet(s), additional descriptions (e.g. laboratory reports, test protocols);   |
| <u>0</u> | sheet(s), literature describing the state of the art on which the invention is based; *)   |
| <u>0</u> | other documentation (e.g. floppy discs, particularly with drawings of the examples):   |
- 

\*) Please enclose copies of all cited publications (papers complete; relevant chapter of books) with complete bibliographic data.



7. Which departments are interested in the invention? ICN and ICM
8. Has the invention already been tested (tests performed, models constructed)?  
☒ No ☐ Yes, result: \_\_\_\_\_
9. For which products may the invention be used? Terminal for transferring information (data, video)
10. Is the use of invention intended?  
☒ No ☐ Yes, in: \_\_\_\_\_
11. Has a product based on the invention been delivered or is delivery intended?  
☒ No ☐ Yes (probably) on \_\_\_\_\_ name of product: \_\_\_\_\_
12. Has the invention already been published or is the publication intended?  
☒ No ☐ Yes, (probably) on \_\_\_\_\_ in book, journal: \_\_\_\_\_
13. Have third parties been informed of the invention or is such information intended?  
☒ No ☐ Yes (probably) on \_\_\_\_\_ to \_\_\_\_\_
14. Please give as far as possible an assessment of the following criteria
- a Degree of workaround difficulty for competitors  
equivalent alternatives.  
☒ Not possible in practice  
☐ Effort required  
☐ Easily possible in practice
  - b Attractiveness for competitors  
competitor interest  
☒ Outstanding  
☐ Average  
☐ Minimal
  - c Detection of use by competitors  
Proof of use  
☒ Easily possible  
☐ Difficult  
☐ Practically impossible
  - d In-house use  
☐ (probably) yes  
☒ Open  
☐ Unlikely

Page 8/8

IP file number

## 15. Details on person of inventor(s) (Enter inventors 1 to 4 here. For further inventors please use additional sheet):

Surname	Luers			
Birth name	Luers			
First name	Jürgen			
APD/Personnel No. *)	747841			
Is this your first invention disclosure to CT IP?:	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Degree/title profession	Dipl.-Ing.			
Have you been at time of invention	student, postgraduate, doctorate?	<input type="checkbox"/> Yes please enclose a copy of your contract	<input type="checkbox"/> Yes please enclose a copy of your contract	<input type="checkbox"/> Yes please enclose a copy of your contract
Function/position in company (e.g. laboratory supervisor)	Software development Group leader			
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Date of birth	21.02.1965			
16. Is the invention				
a) in your field of work?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
b) in another field of work of your employer?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
17. What is your share of the invention?	100 %	%	%	%
18. Has the invention also been submitted in the 3I program?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
19. If you are of the opinion that employer has no claim to invention, please substantiate:				
20. to my/our knowledge, no other persons are involved in the invention.				
	(Signature)	(Signature)	(Signature)	(Signature)

\*) Please take this information from the ID card or payroll.